IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.12 OF 2006

IN

SUMMARY SUIT NO.4357 OF 1996

Dilip Kanayalal Chhatwani. ...Plaintiff

vs.

New Synthetic Chemical Industries and another. ...Defendants.

Mr.Milind Vasudeo, for Plaintiff.

Ms.U.M.Jhaveri, for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 8th June, 2006.

P.C.:-

1. The suit of the plaintiff is based on the bills of exchange which, according to the plaintiff, is accepted by the defendants. The defendants have been served with the summons for judgment in January,2006. The defendants have chosen not to file any affidavit seeking leave of the Court to defend

the suit within the time prescribed by Order 37 of C.P.C. In terms of Order 37 of C.P.C. in the absence of any affidavit filed by the defendants seeking leave to defend the suit, the plaintiff becomes entitle to a judgment.

2. I have heard the learned Counsel appearing for the plaintiff. I have perused the record. In the absence of any reply and the application seeking leave to defend the suit, in my opinion, the summons for judgment is required to be granted. It is accordingly, granted. The suit is decreed as prayed. Refund of Court fees as per rules.